

the required form to declare their enrollment into Category 1. Declaration into Category 1 would allow them to fish the inshore areas of the Gulf of Maine, in addition to the offshore areas. Vessel owners in Category 2 would be required to fish in the GOM offshore area or in the existing Cod Trip Limit Exemption Area. Specific management measures for these two areas have not yet been determined. The inshore area has preliminarily been described as an area extending from 43°50' N. Lat. and the Maine coast to 43°50' N. Lat., 70°00' W. Long. to 43°00' N. Lat., 70°15' W. Long. to 42°00' N. Lat., 70°15' W. Long. to 42°00' and the Massachusetts coast.

II. Method of Collection

Vessel owners electing to declare into the GOM inshore/offshore category (category 1) would be required to select that category on a form.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit (Gulf of Maine multispecies permit holders electing to fish in inshore or near shore areas).

Estimated Number of Respondents: 475.

Estimated Time Per Response: 2 minutes.

Estimated Total Annual Burden Hours: 16.

Estimated Total Annual Cost to Public: \$237.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 30, 1998.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122898H]

Endangered and Threatened Species; Retention of Species on Candidate Species List Under the Endangered Species Act (ESA)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of retention of the Gulf of Maine/Bay of Fundy population of harbor porpoise on the ESA candidate species list.

SUMMARY: NMFS retains the Gulf of Maine/Bay of Fundy (GOM/BOF) population of harbor porpoise (*Phocoena phocoena*) on the ESA list of candidate species. Retention on the ESA candidate species list will serve to notify the public of NMFS' concern regarding this population, and it will ensure continued monitoring of the species' status.

DATES: Effective January 5, 1999.

FOR FURTHER INFORMATION CONTACT: Margot Bohan, 301/713-2322.

SUPPLEMENTARY INFORMATION: In a separate document published today in the **Federal Register**, NMFS withdrew its January 7, 1993, proposal to list the GOM/BOF population of harbor porpoise as threatened under the ESA. Taking into account the implementation of bycatch reduction measures in the GOM by the New England Fishery Management Council, the Harbor Porpoise Take Reduction Plan in the Gulf of Maine and Mid-Atlantic waters, pursuant to section 118 of the Marine Mammal Protection Act, and a similar harbor porpoise bycatch mitigation program that is being implemented by the Department of Fisheries and Oceans-Canada, NMFS concluded that listing the GOM/BOF population of harbor porpoise as threatened under the ESA is not warranted at this time.

NMFS will retain the GOM/BOF population of harbor porpoise on the ESA list of candidate species in order to continue to monitor the species' status. The ESA candidate species list serves to notify the public that NMFS has

concerns regarding these species/vertebrate populations that may warrant listing it as a threatened or endangered species in the future; this list may also facilitate voluntary conservation efforts.

Dated: December 30, 1998.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122898D]

Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the City of Seattle Habitat Conservation Plan, King County, Washington

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of application and availability for public comment.

SUMMARY: This notice advises the public that the City of Seattle has applied to the Fish and Wildlife Service and NMFS (together, the Services) for an Incidental Take Permit (Permit) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). This application was previously noticed in the **Federal Register** on December 11, 1998, under the Department of the Interior, Fish and Wildlife Service. This additional notice is to ensure NMFS compliance with the notification requirements under section 10(c) of the Act. The proposed permit would authorize the take of the following endangered or threatened species incidental to otherwise lawful management activities in the Cedar River Municipal Watershed and within the Cedar River in King County, Washington: northern spotted owl (*Strix occidentalis caurina*), marbled murrelet (*Brachyramphus marmoratus*), bald eagle (*Haliaeetus leucocephalus*), grizzly bear (*Ursus arctos*), gray wolf (*Canis lupus*), and peregrine falcon (*Falco peregrinus*). The proposed permit also would authorize future incidental take of 77 currently unlisted fish (anadromous and resident) and wildlife species, including the chinook salmon (*Oncorhynchus tshawytscha*) and the Coastal Puget Sound distinct population segment of the bull trout (*Salvelinus confluentus*),